

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

*In Re: Zillow Group, Inc. Session
Replay Software Litigation*

This Document Refers to: All Actions

Master File No. 2:22-cv-01282-JLR

**UNOPPOSED MOTION FOR
OVERLENGTH FILING PURSUANT
TO LOCAL CIVIL RULE 7**

NOTE ON MOTION CALENDAR:
September 5, 2023

Pursuant to Local Civil Rule (“LCR”) 7(f), Defendants Microsoft Corporation and Zillow Group, Inc. (“Defendants”) request leave to file over-length reply briefs in support of their motions to dismiss Plaintiffs’ Consolidated Class Action Complaint (“Replies”), which are due on September 8, 2023. Specifically, Defendants request leave to file Replies consistent with a 6,000 word limit rather than the usual word limit of 4,200 words. Plaintiffs do not oppose this motion.

This action involves nine individually named plaintiffs, two defendants, a putative nationwide class pursuing two claims under Washington law, five alternative statewide classes pursuing nine alternative claims under the laws of four other states, and complex questions of statutory interpretation. Microsoft and Zillow previously requested (Dkt. 51) and were granted (Dkt. 52) leave to file overlength motions to dismiss of 11,900 words rather than the usual word limit of 8,400, *see* LCR 7(e)(3). Plaintiffs also filed overlength oppositions to Microsoft’s and Zillow’s motions to dismiss. *See* Dkt. 58 (9,938 words); Dkt. 59 (10,516 words).

Defendants respectfully ask the Court to grant leave for Defendants to file Replies consistent with a 6,000 word limit rather than the usual word limit of 4,200 words. This expanded word limit is commensurate with or less than those approved by this Court in other complex cases, including cases less complex than that here. *See, e.g., California Expanded Metal Pros. Co. v. Klein*, Case No. C18-0659JLR, 2021 WL 4078072, at *1 (W.D. Wash. Sept. 8, 2021) (Robart, J.) (allowing 20 pages, or approximately 7,000 words for reply brief in case involving five patent- and contract-related claims brought by two plaintiffs against two defendants); *see also, e.g., McMahon v. World Vision, Inc.*, No. 2:21-CV-00920, Dkt. No. 21, at *1 (W.D. Wash. Apr. 5, 2023) (Robart, J.) (allowing 5,200 words for reply brief in case involving only one plaintiff, one defendant, and two causes of action).

Accordingly, Defendants respectfully ask the Court to grant leave for Defendants to file Replies consistent with a 6,000 word limit.

DATED: September 5, 2023

I certify that this motion contains 328 words, in compliance with the Local Civil Rules.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on September 5, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EXECUTED this 5th day of September, 2023 at Seattle, Washington.


Meghan Parker